

person appointed. If the applicant accepts the appointment and presents himself/herself for duty within such period of time as the City Manager shall prescribe, the applicant shall be deemed to be appointed; otherwise, the applicant shall be deemed to have declined the appointment.

Section 9.4 Nepotism

(a) No person may be appointed to a position in a department if a member of the immediate family of such person is employed in the department, if the City Manager determines that (a)(1) for business reasons of supervision, safety, security, it would be inappropriate to place one such person under the direct supervision of the other; and (2) the appointment cannot be made so it would not be necessary that one employee be under the supervision of the other; or (b) the placement of both persons in the department involves potential conflicts of interest greater for persons so related than for nonrelated persons, and that such conflicts cannot be resolved by control of duty assignments. The City Manager shall consult with the Union prior to making any such determination.

(b) If such appointment is made, the employees involved shall be assigned, if possible, so that one is not under the direct supervision of the other, or employed to work in conjunction with the other under ordinary circumstances.

(c) If, due to marriage or otherwise, persons employed in a department become members of an immediate family, the department head shall, to the extent possible, assign such persons to duties in such manner that neither is under the direct supervision of the other, and neither is assigned to work in conjunction with the other under ordinary circumstances.

(d) For purposes of this section, "immediate family" includes father, mother, brother, sister, spouse, domestic partner, child, mother-in-law, mother of domestic partner, father-in-law, father of domestic partner, grandparent, grandchild, great-grandparent, great-grandchild, step-child, child of domestic partner, foster child, and step-parent.

Section 10. Probation Period

Section 10.1 Duration

All original and promotional appointments shall be tentative and subject to a probationary period of not less than six months from the date of probationary appointment or promotion.

An employee who is laid off and subsequently appointed as a result of certification from a general employment eligible list to a position in a different classification than that from which laid off shall undergo the probationary period prescribed for the classification to which appointed. Former probationary employees whose names were placed on a re-employment eligible list before they achieved permanent status shall start a new probationary period when appointed from a re-employment eligible list.

Employees who transfer to another position in the same classification shall not be required